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Must Be Sent By:

To: Examiner: Wang Ted M.
Art Unit: 2634

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Company: U.S. Patent & Trademark Office

Phone No:

From: Ross L. Franks

Phone No: (650) 233-4094

User No:

C/M No: 073169-0269527

Re: U.S. Serial No. 09/833,749
Filing Date: April 11, 2001
First Named Inventor: William McFarland et al.

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1. Amendment and Response to Office Action

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William McFarland et al.

Confirmation No. 2909

Serial No.: 09/833,749

Examiner: Wang, Ted M.

Art Unit: 2634

Filed: April 11, 2001

Atty. Docket No. 073169-0269527

ATH-035

For: **METHOD AND APPARATUS FOR MAXIMIZING RECEIVER PERFORMANCE
UTILIZING MID-PACKET GAIN CHANGES**

CERTIFICATE OF MAILING

I hereby certify that this paper (along with all papers referred to as being attached or enclosed) is being deposited with the U.S. Postal Service, postage prepaid, to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below.

Date: August 2, 2005

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AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the non-final office action mailed July 27, 2005, for which a three-month shortened statutory response is due by October 27, 2005. The Commissioner is authorized to charge any required fee(s) to our deposit account no. 03-3975 (order no. 073169-0269527).

In response to the office action, please enter the following:

Amendments to the claims are reflected in the listing of claims beginning at page 2.

Remarks begin at page 16.